 *requires*
*** ANALYSIS FROM -1306/2 ***
Under current law, the Wisconsin Technical College System (WTCS) Board ~~is~~
~~required~~ to provide a school-to-work program *including* that ~~includes~~ a school-to-work
program for children-at-risk in Milwaukee County and a work-based learning
program under which the WTCS Board awards grants to tribal colleges for programs
that provide occupational training and work-base^d learning experiences to youths
and adults. This bill transfers administration of ~~these~~^{these} programs to the Governor's
Work-Based Learning Board.

*** ANALYSIS FROM -1560/3 ***

*** ANALYSIS FROM -0462/1 ***

ENVIRONMENT**WATER QUALITY**

Under the Clean Water Fund Program, Wisconsin makes loans at subsidized interest rates for projects for controlling water pollution, including sewage treatment plants. This bill sets the present value of the Clean Water Fund Program subsidies that may be provided during the 2005-07 biennium at \$136,600,000. The bill also increases the general obligation bonding authority for the Clean Water Fund Program by \$9,600,000.

Under the Safe Drinking Water Loan Program, Wisconsin makes loans at subsidized interest rates to local governmental units for projects for the construction or modification of public water systems. This bill sets the present value of the Safe Drinking Water Loan Program subsidies that may be provided during the 2005-07 biennium at \$13,500,000. The bill also increases the general obligation bonding authority for the Safe Drinking Water Loan Program by \$6,100,000.

*** ANALYSIS FROM -0453/3 ***

Under current law, DNR provides financial assistance for measures to reduce water pollution from nonpoint (diffuse) sources. This bill increases the general obligation bonding authority for nonpoint source financial assistance by \$6,000,000.

Under current law, DNR also provides financial assistance for the management of urban storm water runoff and for flood control and riparian restoration projects. This bill increases the general obligation bonding authority for these projects by \$4,700,000.

*** ANALYSIS FROM -0458/2 ***

Under current law, DNR ~~provides compensation to~~ landowners or lessees of properties on which contaminated wells are located, ~~Eligible costs include~~ the costs of treating the well water or of constructing a new well or obtaining clean water from another source. This bill authorizes DNR to also provide compensation for claims solely for the costs of abandoning a well that is unused or that poses a hazard to health or safety. *compensates for*

*** ANALYSIS FROM -1360/2 ***

AIR QUALITY

The federal Clean Air Act requires certain stationary sources of air pollution, such as large factories, to obtain operation permits ~~issued by~~ *from* DNR. State law requires additional stationary sources of air pollution to obtain operation permits. Under current law, DNR ~~promulgates rules setting~~ *sets the* fees to be paid by the operator of any stationary source for which an operation permit is required. The fees are based on the amount of pollutants that a stationary source emits.

This bill sets different fees for stationary sources of air pollution ~~that are~~ *for which* required to obtain an operation permit under state law, but not under the Clean Air *is required*

Act. The fees are \$1,500 per year or \$3,000 per year depending on the type of operation permit. The bill also sets fees of \$300 per year for stationary sources that are exempt from the requirement to obtain an operation permit but that ^{annually} emit more than three tons of a regulated pollutant ~~in a year~~.

*** ANALYSIS FROM -1603/6 ***

*** ANALYSIS FROM -1361/4 ***

*** ANALYSIS FROM -1602/2 ***

\$30,860,600

OTHER ENVIRONMENT

This bill transfers ~~\$8,930,300 in fiscal year 2005-06 and \$41,930,300~~ in fiscal year 2006-07 from the petroleum inspection fund to the general fund. The bill transfers ~~\$5,842,100~~⁵ in fiscal year 2005-06 and \$5,742,100 in fiscal year 2006-07 from the recycling fund to the general fund. The bill also transfers ~~\$1,200,000~~⁴ in fiscal year 2005-06 and \$800,000 in fiscal year 2006-07 from the environmental fund to the general fund.

*** ANALYSIS FROM -0462/1 ***

Under the Land Recycling Loan Program, Wisconsin makes ^{interest-free} loans to political subdivisions for projects to remedy contamination at sites owned by the political subdivisions where the contamination has affected, or threatens to affect, groundwater or surface water. ~~The loans are subsidized, so that recipients are not required to pay interest.~~ This bill sets the present value of the Land Recycling Loan Program subsidies that may be provided during the 2005-07 biennium at \$3,300,000.

*** ANALYSIS FROM -0454/1 ***

Current law authorizes DNR to ~~conduct or fund activities~~ to remedy environmental contamination in some situations. This bill increases the authorized general obligation bonding authority to finance that remedial action by \$3,000,000.

***** ANALYSIS FROM -1362/1 *****

This bill authorizes DNR to contract with a nonprofit organization for services to assist businesses to reduce the amount of solid waste they generate or to reuse or recycle solid waste.

***** ANALYSIS FROM -1612/3 *****

Current law imposes a recycling fee of \$3 per ton on most solid waste that is disposed of at a landfill. This bill ~~creates an exemption~~ ^{exempts} from the recycling fee ~~for~~ waste material that is disposed of by companies that make paper or paperboard from wastepaper, that cannot be used to make paper or paperboard, and that was acquired in the normal course of recycling.

***** ANALYSIS FROM -0461/2 *****

Current law authorizes persons, including government agencies, ~~to agree~~ ² to use electronic means to conduct transactions. This bill authorizes DNR to charge fees to cover the costs of electronically conducting transactions under the environmental programs administered by DNR.

***** ANALYSIS FROM -1795/4 *******GAMBLING**

Current law prohibits any employee in the ~~Lottery~~ ^{SKT} Division of DOR (division) ~~from being employed by a lottery vendor while serving as an employee in the division~~ ^{and} ~~or~~ for two years following the person's termination of ~~service~~ ^{employment}. This bill ~~provides that~~ ^{eliminates the two-year provision} ~~an employee in the division who terminates employment with DOR in the future may be employed by a vendor at any time after his or her date of termination if DOR has entered into a contract with the vendor to perform lottery functions that were previously performed by the employee while he or she was employed in the division. In addition, the bill provides that DOR may not enter into a contract for lottery~~

services unless the contract requires the vendor to offer employment to those employees in the division who performed those services and whose position ^s ~~was~~ ^{were} terminated.

*** ANALYSIS FROM -0397/2 ***
EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill establishes a new categorical aid program, sparsity aid, for school districts in which the enrollment is no more than 2,000, the pupil density per square mile is less than 15, and in which at least 20 percent of the enrollment is eligible for a free or reduced-price lunch under the National School Lunch Program. If a school district is eligible for aid, beginning in the 2006-07 school year it will receive \$150 per pupil enrolled if no more than 40 percent of its enrollment is eligible for a free or reduced-price lunch or \$300 per pupil enrolled if more than 40 percent of its enrollment is eligible for a free or reduced-price lunch.

*** ANALYSIS FROM -1649/5 ***

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

Under current law, DHFS must collect and analyze health care information from health care providers other than hospitals and ambulatory surgery centers and ~~must~~ [✓] from the data collected, prepare certain reports ~~that do not permit the~~ [✓] identification of a patient, an employer, or a health care provider. The Board on Health Care Information, attached to DHFS, ~~must~~ ^s advise [✓] DHFS on the collection, analysis, and dissemination of health care information, oversee [✓] the reports issued by DHFS, and develop ^s ~~overall strategy and~~ [✓] direction for health care information collection ~~activities~~ [✓].

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FROM PP. 122-123

~~law~~, the license holder or applicant may appeal DOR's determination to the Dane County Circuit Court. If the Dane County Circuit Court upholds DOR's determination, DOR affirms the ~~license holder's or applicant's~~ ^{person's} tax delinquency, and the state Supreme Court decides whether to revoke or deny the license to practice law.

*** ANALYSIS FROM -0301/1 ***

~~TAXATION~~

~~OTHER TAXATION~~

Under current law, a state agency may certify to DOR any debt owed to the agency so that DOR may collect the debt ~~by subtracting the amount of the debt from~~ any tax refund owed to the debtor, but only if the debt has been reduced to a judgment. Under current law, generally, a county or municipality may certify to DOR any debt owed to the county or municipality for a similar collection, ^{if} if the debt has been reduced to a judgment or if the county or municipality has provided the debtor reasonable notice and an opportunity to be heard with regards to the debt.

Under this bill, a state agency may certify to DOR any debt owed to the agency so that DOR may collect the debt ~~by subtracting the amount of the debt from~~ any tax refund owed to the debtor, ^{if} if the debt has been reduced to a judgment or if the state agency has provided the debtor reasonable notice and an opportunity to be heard with regards to the debt.

*** ANALYSIS FROM -0304/P2 ***

~~GAMBLING~~

Procedures

This bill authorizes DOR to use the ~~provisions~~ ^{procedures} under current law for assessing, collecting, and reviewing delinquent income and franchise taxes to assess, collect,

*move
to
P-44*

and review any unpaid amount owed by a retailer to ⁹the DOR in connection with the state lottery.

*** ANALYSIS FROM -0743/1 ***

~~TAXATION~~

~~OTHER TAXATION~~

Under current law, generally, the state imposes a use tax on the storage, use, or other consumption in this state of tangible personal property or taxable services purchased from a retailer who has no physical presence in this state. Under current federal law, ^{however,} ~~a retailer who has no physical presence in this state and who sells tangible personal property or taxable services to customers in this state is not required to collect the use tax imposed on such sales.~~

Under this bill, a retailer who has no physical presence in this state and who sells tangible personal property or taxable services to customers in this state must collect the use tax from the customers, ~~contingent, however, on~~ ^{if} federal law ^{authorizes} ~~authorizing~~ the collection of such taxes.

*** ANALYSIS FROM -1046/P1 ***

~~TAXATION~~

~~OTHER TAXATION~~

Under current law, the state imposes a rental vehicle fee ~~on the rental of certain vehicles. The fee is equal to~~ ^{of} 3 percent of the gross receipts from the rental of automobiles, mobile homes, motor homes, and camping trailers, ⁹ ~~if such vehicles are rented or leased without drivers, and 5 percent of the gross receipts from the rental of limousines. Under this bill, the~~ ^{increases this} rental vehicle fee ~~is equal~~ ^{to} 5 percent of the gross receipts ~~from the rental of automobiles, mobile homes, motor homes, and camping~~

This bill eliminates the Board on Health Care Information ^{on} as of October 1, 2005, and replaces it ~~on that date~~ with a nine-member Health Care Quality and Patient Safety Board (HCQPSB), attached to DOA, which assumes the duties and powers of the Board on Health Care Information. In addition, the ^{bill directs the} HCQPSB ~~must do~~ ^{to} ~~all of the following:~~

1. By ~~March 1, 2006~~, ^{SEP} ~~study and~~ make recommendations concerning the feasibility of creating a centralized physician information database. [^] (No ff)

2. By ~~October 1, 2006~~, ^{SEP} ~~study and~~ make recommendations ^{regarding the} ~~concerning~~ rules required and authorized to be promulgated by DHFS concerning the collection, analysis, and dissemination of health care information ~~and perform certain other duties.~~ [^] (No ff)

3. By ~~January 1, 2007~~, develop a plan ~~and specific strategies~~ to deploy health care information systems technology for health care quality, safety, and efficiency. [^] (No ff)

4. ~~Annually report on its plans, activities, accomplishments, and recommendations.~~

5. ~~Annually assess the extent to which~~ ^{use} ~~automated information and decision support systems~~ ~~used by health care providers in Wisconsin.~~ [^] (No ff)

6. ~~Annually assess options and develop a plan to achieve automation of all health care systems in Wisconsin by 2010.~~ [^] ~~and award~~ (No ff) ^{automate}

7. ~~Make~~ ^{make} grants or loans to clinics, health maintenance organizations, hospitals, or physicians for various projects.

The bill prohibits DHFS from enforcing rules promulgated before the ~~effective~~ date ~~of this bill~~ that relate to the collection from physicians of workforce and practice

becomes law

information, health care plan affiliations, and hospital privileges and from dentists, chiropractors, and podiatrists of workforce and practice information. Beginning July 1, 2007, the bill also prohibits DHFS from enforcing rules promulgated before that date that relate to physician claims data. DHFS may ~~only~~ promulgate rules that relate to the collection and dissemination of health care information ~~that are first~~ ^{only after} approved by HCQPSB ^{approves them}

The bill creates the health care quality improvement fund, a segregated fund ^{in part} that consists of moneys transferred from the injured patients and families compensation fund, the net proceeds of certain revenue obligations, a portion of the annual assessments levied on health care providers other than hospitals and ambulatory surgery centers, ~~and~~ the repayment of any loans made by the HCQPSB. ^{Moneys in} Funds of the health care quality improvement fund are ^{used} appropriated for general program operations of the HCQPSB, for grants ^{awarded} or loans made by the HCQPSB, and for benefits under the Medical Assistance (MA) program, including payments for direct graduate medical education, a major managed care supplement, a pediatric services supplement, rural hospital supplements, and an essential access city hospital. ^{and any moneys transferred by the secretary of administration}

Under current law, the ~~Wisconsin Health and Educational Facilities Authority~~ [✓] ~~WHEFA~~ provides financial assistance to ~~private and public~~ health facilities and hospitals. This bill prohibits WHEFA from providing ~~such~~ financial assistance unless the health facility or hospital demonstrates to the HCQPSB that the health facility or hospital is making efforts to improve medical technology.

Under current law, certain health care providers are required to carry health care liability insurance with specified liability limits. ~~Any portion of a medical malpractice claim against a health care provider~~ ^{the portion of a medical malpractice claim} ^{on behalf of} ^{who is} subject to the health care liability insurance requirements that exceeds the limits of the health care provider's health care liability insurance ^{is paid by the injured patients and families compensation fund}. Moneys ^{for the fund} ^{come from} ^{are derived from} annual assessments paid by the health care providers who are subject to the health care liability insurance requirements.

Current law provides that the fund is established to curb the rising costs of health care by financing part of the liability incurred by health care providers as a result of medical malpractice claims.

This bill transfers ~~\$140,289,000~~ ^{169,103,400} in fiscal year 2005-06 and \$9,714,000 in fiscal year 2006-07 from the injured patients and families compensation fund to the health care quality improvement fund, as created in the bill. The bill also adds to the stated purposes of the injured patients and families compensation fund the purposes of ensuring the availability of health care providers in Wisconsin and of enabling the deployment of health care information systems technology for health care quality, safety, and efficiency, by the Health Care Quality and Patient Safety Board (HCQPSB), as created in the bill.

*** ANALYSIS FROM -1649/1 ***

~~MEDICAL ASSISTANCE~~

This bill creates a program ~~to issue~~ ^{for the issuance of} revenue obligations to fund costs ~~associated~~ ^{MA} with the reform of the Medical Assistance program. Under the bill, ~~the~~ ^{the} program may not exceed \$125,000,000. The bill provides that the principal and interest costs on the revenue obligations are to be paid from excise taxes that are

that maybe paid from these revenue obligations

The amount of expenditures

currently imposed on the sale of liquor, fermented malt beverages, cigarettes, and tobacco products.

*** ANALYSIS FROM -0311/3 ***

Currently, DHFS administers several programs under waivers of federal Medicaid laws under which ~~Medical Assistance (MA)~~ recipients who reside in ~~state~~ ^{certain} centers for the developmentally disabled or other institutions or who meet certain levels of care requirements are relocated into their communities and provided home and community-based services and long-term care support services.

This bill authorizes DHFS to request ~~from the secretary of the U.S. Department of Health and Human Services~~ a waiver of federal Medicaid laws to provide home or community-based services to MA recipients who have serious mental illnesses and who meet certain level ^s of care requirements for services in nursing homes. If DHFS receives the waiver, DHFS may ^{use} ~~from general purpose revenues and federal Medicaid funds~~ ^{to} contract with a county or a private agency to administer the home or community-based services under the Community Opportunities and Recovery Program created in the bill.

*** ANALYSIS FROM -1089/5 ***

This bill requires DHFS to ~~levy, enforce, and~~ collect assessments on health maintenance organizations (HMOs) that contract with DHFS to provide health care to recipients of ~~Medical Assistance (MA)~~ ^{the} or Badger Care ^{health care program (Badger Care)}. The assessment is 6 percent of each HMO's annual gross revenues, ~~based on statements that each HMO must file with OCI annually by March 10~~ ^{annually} ~~Under the bill,~~ the first assessment is due on March 31, 2006. The assessments ^{are} ~~must be~~ deposited into the MA trust fund, from which DHFS ^{annually} ~~must~~ distribute moneys ~~in each fiscal year~~ to supplement MA payments to

one word

and Badger Care payments

~~HMOs that provide services to MA recipients and Badger Care payments to HMOs~~
~~(that provide services to Badger Care recipients,~~ to assist in meeting increasing costs
~~and more intense use of services by MA and Badger Care recipients,~~ and for other
reimbursement needs that DHFS identifies.

*** ANALYSIS FROM -0261/1 ***

Under current law, a family, or a child who does not reside with his or her
parent, may be eligible for health care coverage under ~~the~~ Badger Care ~~health care~~ *
~~program (BadgerCare)~~ if the child's or family's income does not exceed 185 percent
of the federal poverty line and the child or family meets certain nonfinancial criteria. ~~STP~~

Current law defines "child" as a person under the age of 19 years and defines "family"
as a unit that consists of at least one child and his or her parent or parents, all of
whom reside in the same household.

This bill expands BadgerCare to provide health care coverage to an unborn
child whose mother is not eligible for BadgerCare or for ~~Medical Assistance~~ ^{MA}, except
for certain emergency services. ~~The income of the unborn child's mother, mother and~~
~~her spouse, or mother and her family, whichever is applicable, must meet the~~ [↓] ~~current~~
~~law~~ ^{apply} income requirements. ^{also} The unborn child and the unborn child's mother must
meet the current ~~law~~ nonfinancial eligibility requirements, except that the unborn
child is not required to have a social security number and ~~one or more of the following~~
~~may apply to the unborn child's mother:~~ ^{new not be} 1) ~~she is not~~ a U.S. citizen or a qualifying
alien; ^{↑ may be} 2) ~~she is~~ an inmate of a public institution; ^{↑ and need} 3) ~~she does not~~ provide a social
security number, ~~but only if she is not a U.S. citizen or qualifying alien.~~ An "unborn
child" is defined as a person from conception to live birth. ~~The effect of the change~~

~~is to provide prenatal care to low-income pregnant women who are not otherwise eligible for BadgerCare or Medical Assistance.~~ ^{MA}

*** ANALYSIS FROM -0560/2 ***

~~HEALTH AND HUMAN SERVICES~~

~~MEDICAL ASSISTANCE~~

Under current law, nursing homes and intermediate care facilities for the mentally retarded (ICFMRs) must pay ^{to the state} an assessment on each bed for which they are licensed. A portion of the bed assessment revenues ~~is deposited in the general fund~~ (\$13,800,000 in fiscal year 2004-05, and 45 percent of the revenues starting in fiscal year 2005-06) and the remainder is deposited in the Medical Assistance trust fund.

↓ Money in the Medical Assistance trust fund is appropriated for payment of Medical Assistance program benefits. ^{used to pay MA}

~~(not) This bill provides that in each fiscal year \$13,800,000 of the revenues generated from the nursing home and ICFMR bed assessment ^{of the 2005-07 biennium} must ^{is} be deposited in the general fund and the remainder ^{MA} shall be deposited in the Medical Assistance trust fund.~~

~~Under current law, DHES levies, enforces, and collects assessments on all licensed beds of nursing homes and intermediate care facilities for the mentally retarded. The assessments are \$75 per calendar month per licensed bed of a nursing home and \$135 in fiscal year 2003-04 and \$445 in fiscal year 2004-05 per calendar month per licensed bed of an intermediate care facility for the mentally retarded ICFMRs.~~

This bill increases the amount of the assessment per licensed bed of a nursing home to up to \$125 per calendar month and the amount of the assessment per

licensed bed of an ICFMR to up to \$523 per calendar month in fiscal year 2005-06 and up to \$587 per calendar month in fiscal year 2006-07. *insert Pua P 51*

*** ANALYSIS FROM -0747/1 ***

Under current law, DHFS reimburses school districts, cooperative educational service agencies (CESAs), ^{and} ~~on~~ DPI 60 percent of the amount that the state receives as federal Medicaid reimbursement for health care services that school districts, CESAs, ^{and} ~~on~~ DPI provide in schools to pupils who are eligible for the MA program. DHFS may ~~make~~ supplemental MA payments for these services if the total of the reimbursement and the supplements does not exceed federal Medicaid payment limitations. *insert here of*

rw9 This bill eliminates the authority for DHFS to ~~make~~ supplemental MA payments for school-based services provided to pupils who are eligible for MA.

*** ANALYSIS FROM -1302/2 ***

insert SIA Under current law, DHFS provides MA payments to nursing homes and some community-based residential facilities ~~(facilities)~~ under a ~~detailed~~ formula that assigns cost-based payment for certain items and flat-rate payment for others. Beginning July 1, 2006, this bill changes ^{the} payment ^{formula} from cost-based to flat-rate for nonbillable direct care costs for registered nurses, licensed practical nurses, and nurse's assistants.

Currently, in calculating amounts payable for direct care costs, DHFS must establish ^{separate} standards for facilities that primarily serve the developmentally disabled ~~separately from standards for facilities that do not~~. Further, DHFS must establish the direct care component of the facility payment rate for each facility by comparing actual allowable direct care cost information for that facility, as adjusted for

inflation, to the applicable standard. Beginning July 1, 2006, this bill eliminates differences in standards for payment of direct care costs between facilities that primarily serve the developmentally disabled and those that do not, and eliminates the requirement that DHFS compare a facility's actual allowable direct care costs to the standard.

^{also} ~~Lastly,~~ the bill requires DHFS to issue inquiries, before July 1, 2006, concerning the existence of managed care organizations that are capable of ~~developing the~~ ^{providing} ~~provision of~~ primary, acute, and long-term managed care, on a regional basis, to elderly and disabled MA recipients.

*** ANALYSIS FROM -0264/2 ***

Under current law, children who are in foster care are eligible to receive ~~medical assistance~~ ^{MA}. ~~In most cases, this eligibility ends when the child reaches the age of 18.~~ ^{and under the age of 18} This bill extends eligibility for ~~medical assistance~~ ^{MA} on January 1, 2007, to an individual who is 18 or 19 years old, and on January 1, 2008, to an individual who ^{is 18, 19, or 20 years old,} and who on his or her 18th birthday was in foster care or treatment foster care.

*** ANALYSIS FROM -0879/4 ***

~~Under MA and BadgerCare, DHFS pays for health care services provided to eligible low-income persons and families.~~ ^{authorizes} Current law ~~provides that~~ DHFS ~~may~~ ^{to} recover ~~incorrect~~ ^{over} ^{one word} payments that DHFS made under MA that resulted from a misstatement or omission of fact by a ~~person supplying information in an application~~ ^{an applicant} for benefits or from the failure of a person to report the receipt of income or assets in an amount that would have affected an MA recipient's eligibility for benefits.

MA

report changes in status
provides
 This bill adds that DHFS may also recover ~~incorrect~~ *over* payments that DHFS made under MA that result from the failure of a person to report changes in a recipient's financial or nonfinancial situation or eligibility characteristics that would have affected the recipient's eligibility for benefits or his or her cost-sharing requirements. The bill provides that DHFS may recover ~~incorrect~~ *over* payments that DHFS made under BadgerCare resulting from any of the same reasons for which DHFS may recover ~~incorrect~~ *over* payments made under MA.

The bill also provides that, if an MA or BadgerCare recipient *one word* to or for whom an incorrect payment was made fails, after notice, to repay the incorrect amount, DHFS may bring an action to enforce repayment. *over* DHFS also may issue an order to compel repayment and if the recipient does not pay the amount due under the order and does not appeal the order within 30 days, DHFS may present a certified copy of the order to the circuit court, which must render a judgment in accordance with the order without further notice to the recipient. *this bill provides* The judgment may be enforced in the same manner as any other judgment rendered by a court. In addition, DHFS must certify *for the recovery of over payments through a state* the obligation to DOR for collection as a setoff against any state income tax refund that is due the recipient. *setoff process*

*** ANALYSIS FROM -0746/4 ***

Under current law, the Community Aids Program (CAP) is funded from state general purpose revenues and federal block grant moneys; under it, DHFS distributes *moneys* to county departments of social services, human services, community programs, and developmental disabilities services ~~moneys~~ for community social, mental health, developmental disabilities, and alcohol and other drug abuse services and certain other services. Until January 1, 2006, DHFS may *make*, from general

purpose revenues for CAP, ~~payment~~ for certain MA services provided by the county departments and by local health departments and ~~payments to~~ ^{pay} providers of MA personal care, home health, and respiratory care services. This bill eliminates the January 1, 2006, sunset on these payments.

Under current law, during 2006, DHFS must make payments from the MA trust fund to hold county departments and local health departments harmless for the elimination, from July 26, 2003, to January 1, 2006, of the community services deficit reduction benefit (CSDRB), under which counties and local health departments could claim federal Medicaid matching funds to cover costs for MA services provided that were not fully reimbursed. This bill eliminates that requirement, authorizes payments from the general purpose revenues for CAP to city health departments for this purpose, and eliminates the recommencement of CSDRB.

*** ANALYSIS FROM -0124/1 ***

~~HEALTH AND FAMILY SERVICES~~

~~MEDICAL ASSISTANCE~~

Current law prohibits DHFS from reimbursing a provider for certain elective surgical procedures under the ~~Medical Assistance~~ ^{MA} Program unless the patient receives a second medical opinion regarding the appropriateness of the procedure. ~~Second opinions are required for elective surgical procedures for which there is a demonstrably high rate of difference between first and second medical opinions.~~ This bill eliminates the requirement for second medical opinions for elective surgical procedures under the ~~Medical Assistance~~ ^{MA} Program.

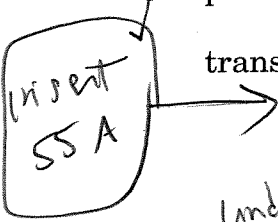
*** ANALYSIS FROM -0260/2 ***

Under current law, as a benefit under MA, DHFS pays ^{the} charges for transportation by ^{an} emergency medical vehicle to obtain emergency medical care and

transportation by ^a specialized medical vehicle or, if first approved by the county department of human services or social services, by ^a common carrier or private motor vehicle to obtain nonemergency medical care. Under the bill, DHFS ~~will~~ pay ^s on behalf of ^{an} MA recipient ^{the} charges for transportation by ^{an} emergency medical vehicle to obtain emergency medical care and ~~also~~ to obtain nonemergency medical care if transportation by other means is contraindicated. Otherwise, DHFS ~~will~~ pay ^s ~~the~~ charges for transportation to obtain nonemergency medical services only if it is provided through an entity with which DHFS has contracted to manage transportation services for ~~the~~ MA program.

*** ANALYSIS FROM -0265/3 ***

PUBLIC ASSISTANCE

 ^{Under current law} DHFS administers a number of public assistance programs ~~under current law~~ under which ^{eligible} persons ~~who satisfy eligibility criteria~~ receive financial, health care, or other types of assistance. This bill ~~specifically~~ authorizes DHFS to recover benefits incorrectly paid under any of the ^{se} assistance programs ~~that it administers~~, and provides that DHFS may recover overpayments by reducing the benefits of a family or individual who received the overpayments and who is still receiving benefits. The bill authorizes DHFS to specify by rule other methods for recovering incorrectly paid benefits, and provides for recovery of these incorrectly paid benefits through a state income tax refund setoff process.

^{Directs} ~~Under~~ current law, DWD is ~~required~~ to investigate suspected fraudulent activity on the part of participants in the Aid to Families with Dependent Children (AFDC) program and participants in the Wisconsin Works (W-2) program and to ~~conduct activities to~~ reduce payment errors in W-2. DHFS ~~is authorized to~~ ^{may} contract

with DWD for DWD to investigate suspected fraudulent activity and to conduct activities to reduce payment errors under MA and the food stamp program, both of which DHFS administers.

Under the bill, DHFS is also required to ^{must} investigate suspected fraudulent activities and ~~to conduct activities to~~ reduce payment errors in the programs that it administers and DWD is ^{may} authorized to contract with DHFS for DHFS to investigate suspected fraud and ^{reduce} ~~conduct~~ payment error ^s reduction activities in the programs that DWD administers. ~~Thus, each department must either conduct its own investigation and error reduction activities or contract with the other department to do so.~~ In addition, the bill adds three DHFS-administered programs to the programs for which fraudulent activity must be investigated and payment error reduction activities must be conducted: BadgerCare, the program under which DHFS provides state supplemental payments to persons eligible to receive ^{supplemental security income} (SSI), and the program under which DHFS makes monthly payments for the support of dependent children to custodial parents who are receiving SSI or state supplemental payments.

~~CHILDREN~~

~~Under current law, DHFS or a county department of human services or social services (county department) provides monthly payments to foster parents, treatment foster parents, kinship care relatives, and long-term kinship care relatives who provide care and maintenance for children. DHFS also provides adoption assistance, including monthly maintenance payments, to adoptive parents to assist in the cost of the care of children with special needs. This bill permits DHFS or a county department to recover an overpayment of foster care, treatment foster~~

~~care, kinship care, long-term kinship care, and adoption assistance payments from a foster parent, treatment foster parent, kinship care relative, long-term kinship care relative, or adoptive parent who continues to receive those payments by reducing those payments. The bill ~~also~~ permits DHFS to specify by rule other methods for recovering those payments.~~

*** ANALYSIS FROM -0878/1 ***

Under current law, DHFS contracts with county departments ~~of social services or human services (county departments)~~, and may contract with American Indian ^{tribal} ~~tribe~~ governing bodies ~~(tribal governing bodies)~~, to administer MA, BadgerCare, the food stamp program, and the cemetery, funeral, and burial expenses program, known collectively as "income maintenance" programs, and reimburses the county departments and tribal governing bodies for their costs of administering those programs. ^(P) This bill provides that DHFS, a county department, or a tribal governing body may request from any person ~~in this state~~ information that is appropriate and necessary for determining or verifying eligibility or benefits for a recipient under any of the income maintenance programs. A person who receives a request for information must, ~~within seven days~~, provide the information ~~unless its access is prohibited or restricted by law~~. The bill also authorizes DHFS, a county department, or a tribal governing body ~~to issue a subpoena~~ to compel production of ~~financial information or other documentary~~ evidence for determining or verifying eligibility or benefits for an income maintenance program recipient, and prohibits DHFS, a county department, or a tribal governing body ~~or an employee of any of them~~ from disclosing, for any purpose not connected with administration of the income maintenance program, information obtained as a result of ~~a request or subpoena~~.

In addition, the bill provides that no person is liable for allowing access to ~~for~~ ~~disclosing~~ information in response to a request ~~or subpoena~~ from DHFS, a county department, or a tribal governing body or for any other action taken in good faith to comply with such a request.

*** ANALYSIS FROM -0314/1 ***

~~HEALTH AND HUMAN SERVICES~~

~~OTHER HEALTH AND HUMAN SERVICES~~

Under current law, DHFS reimburses pharmacists and pharmacies for prescription drugs purchased by persons enrolled in Senior ^{Care}, ~~a prescription drug assistance program for low-income elderly persons~~. The reimbursement rate is equal to 105 percent of the prescription drug reimbursement rate under ~~the Medical Assistance (MA) program~~, plus a dispensing fee, and minus a copayment paid by the Senior ^{Care} enrollee.

²⁹ This bill reduces the reimbursement rate under Senior ^{Care} to 100 percent of the prescription drug reimbursement rate under MA, plus the dispensing fee, and minus the copayment.

*** ANALYSIS FROM -1662/4 ***

~~HEALTH AND HUMAN SERVICES~~

^{annually} ~~PUBLIC ASSISTANCE~~

Under current law, ^{annually} DWD allocates ~~specific amounts of~~ moneys in each fiscal year, including federal Child Care Development Funds (CCDF) and federal moneys received under the federal Temporary Assistance for Needy Families (TANF) block grant program, for various public assistance programs and for child care-related purposes, ~~including transferring moneys to DHFS for its day care licensing operations~~. This bill sets the amounts of ^{these} ~~these~~ allocations for fiscal years 2005-06

Skf and 2006-07 and adds an allocation to pay for a share of the costs of a mail-order lending library and information center operated by DPI's division for libraries, technology, and community learning. The bill eliminates an allocation for grants for developing early childhood centers for providing outreach and training for parents and training for child care providers, and eliminates the program.

*** ANALYSIS FROM -1597/1 ***

Under current law, county departments ~~of social services or human services~~ (county departments) pay cemetery, funeral, and burial expenses for decedents who ~~during life~~ received certain public assistance benefits, ~~such as W-2 benefits or MA benefits~~, and whose estates are insufficient to pay those expenses. DHFS ~~is required~~ ^{must} to reimburse the county departments for those payments. This bill provides that DHFS must reimburse the county departments for those payments only to the extent that funds are available for this purpose.

*** ANALYSIS FROM -1635/3 ***

Under current law, DHFS uses general purpose revenue (GPR) and federal TANF block grant moneys ^{to provide} ~~for providing grants~~ to organizations that provide various types of domestic abuse services; ~~for providing grants to~~ nonprofit corporations and county departments ~~of human services or social services~~ for programs to prevent and reduce youth violence, ~~the incidence of~~ youth alcohol and other drug abuse, and ~~the incidence of~~ nonmarital pregnancy; and ^{to provide} ~~for providing grants to~~ American Indian tribes and bands for providing services related to vocational preparation and reducing high school dropout rates, pregnancy prevention, and developing skills ~~to~~ ^{for} increase economic self-sufficiency. This bill maintains the funding level for these programs but replaces the TANF funding with more funding from GPR.

appropriates moneys
*** ANALYSIS FROM -0604/5 *** *from*

This bill ~~creates an appropriation~~ to DWD that ~~consists of~~ recovered overpayments and incorrect or disallowed payments and voluntary repayments of federal CCDF block grant moneys, federal TANF block grant moneys, and state moneys paid to meet the maintenance-of-effort requirements under those two federal block grant programs. The federal block grant moneys and state maintenance-of-effort moneys are used for various public assistance programs, ~~including W-2 and the child care subsidy program in W-2~~. The appropriation may be used for the recovery costs, ~~for~~ activities to reduce errors in W-2 and the child care subsidy program, and ~~for~~ any of the other purposes ~~under current law~~ for which CCDF and TANF moneys are used.

what is it?

The bill also provides that, to an appropriation to DWD that consists of federal moneys, DWD may credit, as refunds of expenditures, amounts that are returned to DWD in a fiscal year that is different from the fiscal year in which DWD made the original payment if the returned amount is subject to expenditure in the same contract period in which the original payment was made. Under current law, only payments that are returned in the same fiscal year in which they were originally made may be credited as refunds of expenditures.

*** ANALYSIS FROM -0334/2 ***

WISCONSIN WORKS

Under current law, a person who ~~meets the eligibility requirements for~~ *is eligible* W-2 ~~program~~ and who is the custodial parent of a child who ~~is~~ *not more than* 12 weeks old ~~or less~~ may receive a monthly grant of \$673 and may not be required to work in a W-2 employment position. Current law also provides generally that ~~receiving~~ *the period during which one receives* a monthly

grant as the custodial parent of an infant counts toward the ~~time~~ limits that apply to ~~how long~~ ^{the period during which} an individual may receive certain benefits only if the child was born more than ten months after the date on which the individual was first determined to be eligible for W-2.

Under the bill, a custodial parent of a child who is ^{not more than} 26 weeks old ~~or less~~ may receive the monthly grant. Only if the child is 12 weeks old or less, however, may the ^{The} custodial parent ^{is} ~~be~~ required to work in a W-2 employment position. In addition, the bill provides that an unmarried woman who would be eligible for W-2 except that she is not a custodial parent may also receive a monthly grant of \$673, and not be required to work in a W-2 employment position, if she is in the third trimester of a medically verified pregnancy that is at risk and ~~that~~ renders the woman unable to participate in the workforce. Under the bill, ^{the period during which one receives} receiving a monthly grant as the custodial parent of an infant counts toward the ~~time~~ limits that apply to ~~how long~~ ^{the period} an individual may receive certain benefits regardless of when the child was born in relation to when the individual was first determined to be eligible for W-2. ^{If} ~~Receipt~~ of a ~~monthly grant~~ ^{receives a monthly grant} by a pregnant woman who is not a custodial parent, however, ^{the period} does not count ~~toward the time limits~~.

*** ANALYSIS FROM -0335/2 ***

Under current law, ^{directs} DWD ~~is directed~~ to continue the creation and implementation of a subsidized work program under W-2. This bill eliminates ^{this} the directive to DWD to continue the creation and implementation of a subsidized work program and ^{instead} requires DWD to conduct, from January 1, 2006, to June 30, 2007, a pilot project for a trial jobs plus program. The pilot project must be limited to 1,000 participants and must be conducted in at least one of the geographical areas ~~of the~~.

~~state~~ established for administering the W-2 program that is located in Milwaukee County and in at least two of those geographical areas that are not in Milwaukee County. Under the project, a W-2 agency pays a wage subsidy, as well as ~~reimbursing~~ ^{a reimbursement of} up to 100 percent of federal social security taxes, state and federal unemployment contributions, and worker's compensation insurance premiums, to an employer that employs a project participant and that agrees to make a good faith effort to retain the participant as an unsubsidized employee after the wage subsidy ends if the participant ~~successfully~~ completes ~~participation in~~ the trial job plus. The wage subsidy may not exceed the federal minimum wage for ~~no more than~~ ^{up to} 30 hours of work per week, and any required training activities are counted toward the participant's work hours. An individual may participate in a trial job plus for up to six months, with a possible three-month extension.

*** ANALYSIS FROM -1526/3 ***

Under current law, DWD makes job access loans to persons who are eligible for W-2 and who need such loans to obtain or continue employment. The loans are funded with federal TANF block grant moneys, ~~with~~ general purpose revenue ~~required as maintenance of effort~~, and ~~with~~ job access loan repayments. This bill eliminates the federal moneys and the general purpose revenue as funding for job access loans, ~~leaving only repayments of job access loans for funding more job access loans~~, and provides that job access loan repayments may be used for administrative costs associated with collecting delinquent job access loan repayments.

*** ANALYSIS FROM -1522/2 ***

~~HEALTH AND HUMAN SERVICES~~~~CHILDREN~~

This bill ~~also~~ requires DWD to provide a child care quality rating system ~~that~~
~~rates the quality of the child care provided by a~~ ^{for} child care provider ~~that is~~ ^s licensed
 by DWD, certified by a county department for reimbursement under ~~the Wisconsin~~
^{W-2} ~~Works Program~~, or established or contracted for by a school board. The rating
 information ~~provided under that system~~ must be made available ⁺ to parents,
 guardians, and legal custodians of children who are recipients, or prospective
 recipients, of care and supervision from a child care provider, ~~including making that~~
~~information available on DWD's Internet site.~~

including on DWD's
 Internet site

~~WISCONSIN WORKS~~

Under current law, a child care subsidy is available under W-2 to an individual
 who needs child care to maintain employment or pursue basic or technical college
 education. Under ~~this~~ ^{the} subsidy program, DWD reimburses child care providers
 directly and distributes funds to county departments and American Indian tribal
 governing bodies for child care services ~~provided to children of migrant workers and~~
~~to children of W-2 participants.~~ County departments are required to set maximum
 reimbursement rates for child care providers ~~that provide child care services~~ under
 the subsidy program. ^{authorizes} This bill ~~provides that~~ DWD ^{to} may establish a tiered
 reimbursement system for the child care subsidy program, under which ^{the amount that} a child care
 provider would be reimbursed ~~at a rate that~~ is based on the child care quality rating
 system established by DWD ~~under the bill that rates the quality of the child care~~
~~provided by a child care provider.~~ The amount paid to a child care provider under

move
 to
 P-70 ✓

the tiered reimbursement system may exceed the maximum reimbursement rate set by the county department.

*** ANALYSIS FROM -0490/P2 ***

This bill ~~makes~~ ^{changes} to the procedure ~~under current law~~ for collecting benefits that were overpaid under W-2. Under current law, DWD semiannually pays fees to the clerk of circuit court for filing warrants constituting liens on the real and personal property of overpaid persons but pays fees for filing satisfactions, releases, or withdrawals of warrants when those documents are filed. The bill makes the payment of filing fees for satisfactions, releases, and withdrawals of warrants semiannual also.

Under current law, DWD ~~is required to~~ ^{must} issue and file a notice of withdrawal of a warrant if a person who received an overpayment complies with a payment schedule arranged with DWD. ~~The~~ ^{This} bill makes the issuing and filing of a notice of withdrawal discretionary with DWD ~~so that DWD is not required to file a notice every time a payment is made on schedule.~~

Under current law, a levy against the property of a person who received an overpayment is effective until it is satisfied or released, or until one year from the date the levy was served, whichever occurs first. Also, any third party in possession of property subject to levy, such as a financial institution at which an overpaid person has an account, is entitled to deduct a levy fee of \$5 from the proceeds of the levy. ~~The~~ ^{This} bill eliminates the one-year time limit so that a levy is effective until satisfied or released, and provides that, if a third party retains a levy fee, the third party must increase the amount of the levy by the fee amount before deducting the fee from the proceeds.

*** ANALYSIS FROM -0084/3 ***

~~HEALTH AND HUMAN SERVICES~~

CHILDREN

Under current law, the court assigned to exercise jurisdiction under the Children's Code (juvenile court) may appoint a relative of a child as ^{his or her} ~~the~~ guardian ~~of the child~~ if the juvenile court makes certain findings, including a finding that the child has been adjudged to be in need of protection or services and has been placed outside of his or her home under an order of the juvenile court for one year or longer.

This bill permits any person, not just a relative, to be appointed as the guardian of a child who has been adjudged to be in need of protection or services. The bill also eliminates ^{the} ~~that~~ one-year waiting period and permits a child who has been adjudged to be in need of protection or services or whose parents' parental rights ~~to the child~~ have been terminated to be placed directly in the home of a guardian without first having been placed in another out-of-home placement. In addition, the bill permits the parental rights of a parent of a child in need of protection or services for whom a guardian has been appointed to be terminated on the grounds of abandonment if, when the juvenile court appointed the guardian, the juvenile court provided the parent with notice of any ground ^S ~~for~~ termination of parental rights that may be applicable and of the conditions necessary for the child to be returned home and the parent has failed to ~~visit or~~ ^{at least} communicate with the child for ~~a period of~~ ^{at least} three months ~~or longer~~.

Currently, a relative who is appointed as the guardian of a child in need of protection or services and who meets certain other requirements is eligible to receive long-term kinship care payments of \$215 per month for providing care and

maintenance for the child. This bill permits a county department ~~of human services or social services (county department)~~ or, in Milwaukee County, DHFS to provide monthly subsidized guardianship payments to a person who is appointed as the guardian for a child in need of protection of services ^{comma} was the licensed foster parent or treatment foster parent of the child before that appointment ^{comma} has passed a home inspection and criminal background investigation ^{comma} and has entered into a subsidized guardianship agreement with the county department or DHFS. The bill also permits a county department or DHFS to provide monthly subsidized guardianship payments for a period of up to 12 months to an interim caretaker who has passed a home inspection and criminal background investigation ^{upon} ~~on~~ the death, incapacity, resignation, or removal of the subsidized guardian.

A county department or DHFS may provide the monthly subsidized guardianship payments to the person if the child has been placed outside the home for a cumulative total period of one year or longer, the juvenile court has found that reunification of the child with the child's parents is unlikely or contrary to the best interests of the child and that further reunification efforts are unlikely to be made or are contrary to the best interests of the child, and the juvenile court has found that appointment of a guardian is in the best interests of the child. A county department or DHFS may also provide monthly subsidized guardianship payments if the child does not meet any of those conditions, but DHFS has determined that appointing a guardian for the child and providing subsidized guardianship payments to the guardian are in the best interests of the child and the juvenile court has confirmed that determination.

Under the bill, the amount of a monthly subsidized guardianship payment is equal to the amount of the monthly foster care or treatment foster care payment received by the guardian immediately before the guardianship order was granted. In addition, a subsidized guardian who meets the applicable eligibility requirements is eligible for adoption assistance and for a child care subsidy under the ~~Wisconsin Works Program~~ ^{W-2} and a child who is in the care of a subsidized guardian and who meets the applicable eligibility requirements is eligible for ~~Medical Assistance~~ ^{MA}.

*** ANALYSIS FROM -0292/5 ***

Under current law, DHFS administers a child abuse and neglect prevention program under which DHFS awards grants to counties and Indian tribes that offer voluntary home visitation services to first-time parents who are eligible for ~~Medical Assistance~~ ^{MA}. Current law requires DHFS to determine the amount of a grant awarded to a county or an Indian tribe in excess of the statutory minimum grant amount of \$10,000 based on the number of births that are funded by ~~Medical Assistance~~ ^{MA} in that county or the reservation of that Indian tribe in proportion to the number of those births in all of the counties and the reservations of all of the Indian tribes to which grants are awarded. Currently, no more than six rural counties, three urban counties, and two Indian tribes may ~~be selected to~~ participate in the program.

This bill requires DHFS to determine the amount of a grant in excess of the statutory minimum based ~~simply~~ on the number of births that are funded by ~~Medical Assistance~~ ^{MA} in a county or a reservation of an Indian tribe without regard to the number of those births in other counties and reservations. The bill also eliminates the caps on the number of counties and Indian tribes that may ~~be selected to~~ participate in the program.

In addition, the bill directs DHFS to award grants to applying county departments, local health departments, Indian tribes, private nonprofit agencies, and local partnerships ~~(organizations)~~ ^{to provide} for the provision of voluntary, one-time home visits to all first-time parents in the community served by the organization. The purposes of the home visits are to provide ~~those~~ ^{the} parents with basic information regarding infant health and nutrition, the care, safety, and development of infants, and emergency services for infants; to identify the needs of ~~those~~ ^{the} parents; and to provide ~~those~~ ^{the} parents with referrals to programs, services, and other resources that may meet those needs. ~~Any information concerning an individual who is offered a home visit or provided with a referral under this bill is confidential, unless disclosure of the information is required or permitted under the child abuse and neglect reporting law, the use or disclosure of the information is connected to the administration of the program, or the individual consents to the use or disclosure of the information.~~

*** ANALYSIS FROM -0293/1 ***

Under current federal law, the state receives payments under Title IV-B of the federal Social Security Act (Title IV-B) for child and family services and under Title IV-E of the federal Social Security Act (Title IV-E) for foster care and adoption assistance. ~~To receive these payments,~~ ^{these} the state is required to have ~~state~~ ^{STET} plans that meet the requirements of ~~these~~ ^{the} titles. ~~Federal law requires that~~ ^{SA and} the programs administered by the state under ~~these~~ ^{these} titles ~~be reviewed to determine whether these~~ ^{must be} programs are in substantial conformity with the state plan requirements under ~~these titles.~~ ^{programs are} If the state is not ~~in~~ ^{STET} substantial conformity ~~with these state plan~~ ^{STET} federal law requires a certain percentage of Title IV-B and Title IV-E

funds to be withheld from the state, ~~except that~~^{also} federal law requires the state to ~~adopt and~~ implement a corrective action plan to achieve ~~that~~ substantial conformity, and requires the federal Department of Health and Human Services to suspend the withholding of ~~those~~^{the} funds while the corrective action plan is in effect.

This bill appropriates general purpose revenues ~~for activities provided under~~^{to DHFS} the Child Welfare Program Enhancement Plan developed by DHFS to achieve substantial conformity with the state plan requirements of Title IV-B and Title IV-E.

*** ANALYSIS FROM -0296/2 ***

Under current law, information received by DHFS, DOC, a county department, or a licensed child welfare agency (collectively "agency") about an individual who is in the care or legal custody of the agency is confidential and may not be disclosed, except under certain ~~exceptions~~^{conditions}. Similarly, ~~under current law~~^{under} treatment records concerning an individual ~~who is receiving or~~ who has received services for mental illness, developmental disabilities, alcoholism, or drug dependence that are maintained by DHFS, a county department, or a treatment facility are confidential and may be released without the informed consent of the ~~individual who is the~~ subject of the record ~~(subject individual)~~ only under certain circumstances.

This bill permits an agency to enter information received about an individual in its care or legal custody, and a person maintaining treatment records to enter information concerning a subject individual, into the statewide automated child welfare information system (generally referred to as "WISACWIS"). The bill also permits DHFS^{comma} DOC^{comma} a county department^{comma} or any other organization that has entered into an information sharing and access agreement with DHFS, DOC, or a

county department and that has been approved for access to WISACWIS by DHFS to have access to information concerning a client that is maintained on WISACWIS, ^{access is} if necessary to enable DHFS, DOC, the county department, or other organization to perform its duties or to ~~coordinate the delivery of~~ services to a client.

*** ANALYSIS FROM -0404/4 ***

Under current law, no person may for compensation provide care and supervision for four or more children under the age of seven for ^{fewer} ~~less~~ than 24 hours a day unless the person obtains a license from DHFS to operate a day care center. To obtain a license to operate a day care center, a person must, among other things, meet the minimum requirements for a license promulgated by DHFS by rule. Current law also authorizes DHFS to inspect and investigate day care centers and to impose certain sanctions and penalties on a person who operates a day care center without a license or who violates a provision of licensure or a minimum standard for the operation of a day care center promulgated by DHFS by rule.

This bill transfers from DHFS to DWD the authority to license day care centers, to promulgate rules establishing minimum requirements for day care center licensure and minimum standards for day care center operation, to inspect and investigate day care centers, and to impose sanctions and penalties for operating a day care center without a license or for violating a provision of day care center licensure or a minimum standard for the operation of a day care center.

Insert from P. 63 → This bill increases the ^{by the state} *** ANALYSIS FROM -1115/1 ***
~~Current law specifies~~

age-related basic maintenance rates that are paid to a foster parent for the care and maintenance of a child. Currently, ~~these~~ rates are \$302 for a child under five years of age, \$329 for a child 5 to 11 years of age, \$375 for a child

12 to 14 years of age, and \$391 for a child 15 years of age or over. This bill increases those rates to \$332 for a child under five years of age, \$362 for a child 5 to 11 years of age, \$413 for a child 12 to 14 years of age, and \$430 for a child 15 years of age or over.

***** ANALYSIS FROM -0265/3 *****

^{This}
~~The~~ bill permits DHFS or a county department to recover an overpayment of foster care, treatment foster care, kinship care, long-term kinship care, subsidized guardianship, or adoption assistance payments by reducing future payments. The bill also permits DHFS to specify by rule other methods for recovering those payments.

***** ANALYSIS FROM -1625/3 *****

Under current law, \$340,000 in federal ~~Temporary Assistance for Needy Families (TANF)~~ block grant moneys ^{is} ~~are~~ transferred from DWD to the Child Abuse and Neglect Prevention Board (CANPB) in each fiscal year. This bill eliminates ^{this} ~~that~~ transfer and instead appropriates general purpose revenues to the CANPB ~~for~~ ^{to award} grants to organizations for the establishment of child abuse and neglect prevention programs, early childhood family education centers, and right from the start projects.

***** ANALYSIS FROM -1921/1 *****

~~HEALTH AND HUMAN SERVICES~~

~~CHILDREN~~

Under current law, the Office of Justice Assistance in DOA ~~is required to~~ provide ^{\$} \$185,000 annually to DHFS for grants for children's community programs, including grants to the Career Youth Development Center in Milwaukee, the Milwaukee Police Athletic League, court-appointed special advocate programs, and

the Children's Safe House Child Care Program in Kenosha County. This bill eliminates ~~those~~ ^{these} grants.

*** ANALYSIS FROM -0347/2 ***

→ HEALTH

Under current law, DHFS must establish minimum standards for, register, and otherwise regulate sanitarians ~~(persons)~~ who apply environmental control measures under the public health laws to prevent and control preventable diseases.

(not) This bill transfers the duty to regulate sanitarians from DHFS to DRL.

*** ANALYSIS FROM -0315/2 ***

HEALTH AND HUMAN SERVICES

HEALTH

Current law requires DHFS to implement a statewide lead poisoning or lead exposure prevention and treatment program. DHFS may designate local health departments as ~~DHFS~~ ^{its} agents for administering and enforcing elements of the program.

Under current law, if DHFS is notified that a child under six years of age has an elevated blood lead level, DHFS must ensure that an investigation is conducted of the dwelling where the child resides and ~~of~~ ^{child's residence,} any educational or child care facility the child attends. ^{is conducted} DHFS may ~~also~~ ^{child} investigate a dwelling or educational or child care facility if a child under six years of age who resides in the dwelling or attends the facility has blood lead poisoning or lead exposure. If DHFS determines that a lead hazard is present in ~~a~~ ^{the} dwelling or educational or child care facility, DHFS may take a variety of actions, including ~~notifying the occupants of the dwelling or facility,~~ notifying the owner of the dwelling or facility, ~~posting notice of the lead hazard,~~ or ordering the owner of the dwelling or facility to reduce or eliminate the hazard. If

DHFS notifies an owner of a dwelling that a child under six years of age who resides in the dwelling has an elevated blood lead level, the owner must obtain either a certificate of lead-free status or a certificate of lead-safe status for the dwelling. DHFS ~~must promulgate rules specifying the standards for obtaining certificates of lead-free or lead-safe status and the duration for which such certificates are valid.~~ DHFS may not authorize ^{the} issuance of successive certificates of lead-safe status valid for less than 12 months unless the applicant ~~for the certificate makes a special showing of need for a certificate that is valid for less than 12 months.~~ ^{shows a special} ^{such} ^{that is valid for less than 12 months.} Finally, DHFS must ~~promulgate rules for maintaining~~ a statewide registry of all ^{issued} certificates of lead-free or lead-safe status ~~that have been issued.~~

This bill provides that if DHFS determines that a lead hazard is present in ^a ~~any~~ ^{child} ~~dwelling or~~ ^{in an} educational or child care facility, the local health department must issue ^{an} and DHFS may issue ^{an} order requiring the owner of the premises to reduce or eliminate the lead hazard. The bill eliminates the requirement that the owner of a dwelling obtain a certificate of lead-free or lead-safe status if DHFS notifies the owner that a child under six years of age who resides in the dwelling has an elevated blood lead level. Finally, the bill eliminates the requirement that DHFS promulgate rules related to issuing certificates of lead-safe status that are valid for less than 12 months.

*** ANALYSIS FROM -0060/1 ***

~~HEALTH AND HUMAN SERVICES~~

~~HEALTH~~

preventive

Under current law, DHFS funds certain ~~preventative~~ health care services for low-income, underinsured, and uninsured women under the Well-Woman Program.

Current law requires that DHFS charge women whose income exceeds 150 percent of the federal poverty line a copayment for breast cancer screenings provided under the Well-Woman Program.

This bill eliminates the copayment for breast cancer screenings under the Well-Woman Program ^{but} ~~and~~ provides that women whose income exceeds 250 percent of the federal poverty line are not eligible for breast cancer screenings under the ~~Program~~. The bill also allows DHFS to reimburse providers for case management services under the Well-Woman Program.

*** ANALYSIS FROM -0113/2 ***

~~HEALTH AND FAMILY SERVICES~~

~~HEALTH~~

Under current law, DHFS makes grants to entities, including technical colleges, to provide training programs and ^{administer} ~~and~~ examinations that fulfill the emergency medical technician — basic licensure and relicensure requirements.

^{not} This bill directs DHFS to provide the emergency medical technician — basic training and examination funding ^{directly} to ambulance service providers rather than ^{to} ~~the~~ entities that provide the training and administer the examinations. The bill ~~further~~ requires ambulance service providers to report to DHFS on expenditures of the funds as a condition of relicensure and requires the Emergency Medical Services Board to recommend a formula for disbursing the ~~training and examination~~ funds among ambulance service providers.

^{annually} *** ANALYSIS FROM -0976/2 ***

~~MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES~~

Under current law, DHFS may allocate up to \$45,000 in general purpose revenues in each fiscal year, on a matching basis, to public or nonprofit private ^{funds} ~~funds~~.

entities to provide mental health services to homeless individuals with chronic mental illness. This bill transfers to the Department of Commerce the program to provide mental health services to homeless individuals with chronic mental illness.

*** ANALYSIS FROM -1416/1 ***

Under current law, DHFS ~~must administer, as formerly required by federal law,~~
~~a revolving fund to make~~ ⁵ two-year loans to establish programs to provide housing for groups of persons who are recovering from alcohol or other drug abuse. This bill eliminates ~~the group home revolving loan fund and transfers the balance remaining in the loan fund appropriation to the appropriation for substance abuse prevention and treatment federal block grant aids~~ ^{this loan program}

*** ANALYSIS FROM -0349/5 ***

This bill requires DHFS to award ~~general purpose revenues~~ ^{grants to organizations} in fiscal years 2005-06 and 2006-07 ~~as grants for community programs~~ ^{to whom?} to provide screening, assessment, and treatment for female prisoners and offenders from Milwaukee County who have committed nonviolent crimes, to assist in community reintegration, and to provide at-risk assessments and support services for the dependent children of the prisoners and offenders.

The bill also requires DHFS, ~~from program revenue received from the child abuse prevention and child mental health surcharge on misdemeanors and felonies,~~ ^{during the 2005-07 fiscal biennium} to award grants to counties with populations of less than 500,000 and to tribal governing bodies in the counties to promote collaboration among county departments and tribal agencies, ^{for} the mental health and substance abuse screening, assessment, and treatment of abused and neglected children and their parents.

Guardianship Grant Program***** ANALYSIS FROM -0356/3 *****

Under ^{the} current law, DHFS annually awards grants of ~~general purpose revenues~~ to ~~applying~~ private, nonprofit agencies and county departments of ~~social services, human services, community programs, or developmental disabilities services,~~ for the purposes of recruiting, training, monitoring, and assisting guardians for persons who are adjudicated incompetent. This bill eliminates ~~that part of the Guardianship Grant Program under which~~ ^{the requirement that grant recipients} ~~awardees must~~ recruit individuals or organizations to act as guardians and monitor ^{their} ~~the~~ performance of ~~recruited~~ guardians and eliminates community need for guardians as a basis for awarding ~~guardianship~~ grants.

***** ANALYSIS FROM -0041/2 *****

Under current law, DHFS must distribute federal funds ~~as mental health systems change grants,~~ to phase in initial recovery-oriented mental health system changes, strategies for prevention and early intervention, and consumer and family involvement for individuals with mental illness. DHFS must eliminate funding for each grant recipient after three years and must require that community mental health services developed under a grant are continued ~~after funding termination~~ by use of savings made available from strategies developed under the grant. This bill eliminates ~~the three-year limitation on the funding for a recipient of a mental health systems change grant and the requirement that community mental health services developed under a grant be continued after grant termination by use of savings made available under the grant.~~ ^{the latter two requirements}

***** ANALYSIS FROM -0042/1 *****

Under current law, DHFS must annually reduce by \$500,000 the amount by which accumulated expenses of providing care for patients of the state mental health institutes exceed the revenues received for providing that care, until the expenses

are in balance with the revenues. DHFS also must implement a plan to assure that ~~there~~ are sufficient revenues to cover anticipated expenditures for providing care for mental health institute patients and report to DOA every three months concerning implementation of the plan. ~~ANN~~ DHFS must report to JCF ~~by December 31~~ annually ~~to identify~~ the amount of expenses that exceed revenues and ~~describe~~ all of the actions of DHFS to reduce those expenses. This bill eliminates all of these requirements.

*** ANALYSIS FROM -1635/3 ***

OTHER HEALTH AND HUMAN SERVICES

Under the ^{current} Domestic Abuse Grants Program in ~~current law~~, DHFS provides ^{awards} grants to organizations that provide various types of domestic abuse services, ~~such as shelter facilities and victim counseling~~. ^{This} The bill provides that under the program ^{requires} DHFS ^{to award} must provide a grant of \$563,500 in each fiscal year to the Refugee Family Strengthening Project for providing domestic abuse services to the refugee population, including the cost of hiring bilingual staff persons, especially those who speak Hmong.

*** ANALYSIS FROM -0312/2 ***

HEALTH AND HUMAN SERVICES

~~OTHER HEALTH AND HUMAN SERVICES~~

Currently, DHFS administers Family Care, a program ~~available in several counties that combines several sources of funding to~~ ^{that} provide ^s a flexible long-term care benefit called the family care benefit. A person must be at least 18 years of age ^{and} and have a physical disability, a developmental disability, or infirmities of aging to qualify for the family care benefit. ~~In addition, a person must meet both functional and financial eligibility requirements.~~ and financial eligibility requirements. Currently, the family care benefit is an entitlement for ^{certain} persons who are eligible for the ~~Medical Assistance~~ ^{MA} program.

and meet the functional eligibility requirements because they are functionally eligible at the comprehensive or intermediate level or, under certain circumstances, because they were receiving long-term care benefits when the family care benefit was introduced. By January 1, 2006, DHFS must extend entitlement to persons who are not MA eligible but who are functionally eligible at the comprehensive level or are in need of protective services or protective placement and functionally eligible at the intermediate level, as well as to certain persons who are not MA eligible but are functionally eligible because they were receiving long-term care benefits when the Family Care program was introduced.

not This bill delays ^{this requirement} until January 1, 2008, ~~the requirement for making the family care benefit an entitlement for persons who are not eligible for MA.~~

*** ANALYSIS FROM -0270/1 ***

The Health Insurance Risk-Sharing Plan (HIRSP) under current law provides major medical health insurance coverage for persons who are covered under Medicare because they are disabled; persons who have tested positive for human immunodeficiency virus (HIV); persons who have been refused coverage, or coverage at an affordable price, in the private health insurance market because of their mental or physical health condition; ^{and} ~~as well as~~ persons who do not currently have health insurance coverage, but who were covered under certain types of health insurance coverage for at least 18 months in the past. Specifically excluded from coverage under HIRSP are persons who are eligible for coverage under MA.

This bill provides that persons who are eligible for only certain limited services provided under MA are not ineligible for HIRSP coverage ^{solely} because of their eligibility for those MA services, ~~which include family planning services for low-income women~~

between the ages of 15 and 44 years; payment of Medicare premiums, deductibles, and coinsurance for persons eligible for Medicare who meet the income and resource limitations; emergency medical services for persons who are not U.S. citizens; health care services for persons with tuberculosis who meet the income and resource requirements for the federal Supplemental Security Income program; and outpatient prenatal care for pregnant women who meet the income limitation.

The bill also specifically provides that persons who are eligible for the following programs or benefits are ineligible for HIRSP coverage: BadgerCare, under which low-income families and children who do not reside with a parent receive comprehensive health care services; a program providing long-term care for children with disabilities and their families, including in-home habilitation services for children with autism spectrum disorders; the community integration programs commonly known as "CIP IA," "CIP IB," and "CIP II," under which persons who reside in state centers for the developmentally disabled or other institutions are relocated into their communities and provided home and community-based services; the waiver program under the Long-Term Support Community Options Program (commonly known as "COP-Waiver"), under which persons who are elderly, physically or developmentally disabled, chronically mentally ill, or chemically dependent receive long-term community support services; the Program for All-inclusive Care for the Elderly (known as PACE) or the Wisconsin Partnership Program (known as Partnership), both of which are managed care programs providing acute health and long-term care for elderly and disabled individuals who are eligible for nursing home care; and medical assistance provided under the Family

Care Program, under which financial assistance is provided for long-term care and support items to persons who have physical or developmental disabilities or infirmities of aging and who meet certain financial and functional criteria.

*** ANALYSIS FROM -0269/1 ***

Under current law, persons with coverage under HIRSP are ~~all~~ called eligible persons. While an eligible person who is not covered under Medicare pays a deductible under HIRSP that ranges from \$500 to \$2,500, an eligible person with Medicare coverage pays a deductible that is equal to the deductible under part A of Medicare.

^{WPA} Current law ^{also} provides that HIRSP ~~will~~ ^{will} pay ^S at least 80 percent of an eligible person's covered costs after those costs exceed the person's deductible, and ~~will~~ ^{will} pay ^S 100 percent of covered costs after the aggregate of covered costs not paid by HIRSP and the deductible exceeds \$2,000 for an eligible person not covered under Medicare and \$500 for an eligible person covered under Medicare. Currently, however, the deductible under part A of Medicare exceeds \$500. Thus, under the ^{law} ~~statute~~, HIRSP ~~will~~ ^S begin ^S paying 100 percent of covered costs incurred by an eligible person covered under Medicare before the person has paid the deductible. This bill corrects ^{this} ~~the~~ inconsistency and provides that HIRSP ~~will~~ ^S pay ^S 100 percent of covered costs for an eligible person covered under Medicare after the covered costs exceed the lesser of \$2,000 or the person's deductible, which is equal to the deductible under part A of Medicare.

*** ANALYSIS FROM -0578/P5 ***

Under current law, HIRSP payment rates for prescription drugs are the same as payment rates under MA. This bill allows DHFS, with the approval of the board, to set HIRSP prescription drug payment rates.

Under current law, ^{authorizes} DHFS ~~is allowed by rule~~ to establish for prescription drug coverage copayment amounts, coinsurance rates, and copayment and coinsurance out-of-pocket limits over which HIRSP ~~will~~ ^{pay} 100 percent of the covered costs incurred by the covered person during the remainder of the calendar year. This bill allows DHFS to establish a three-tiered copayment structure for prescription drug benefits. ~~This~~ ^{The} bill allows DHFS to establish the out-of-pocket limit for prescription drug coverage at \$300 for persons who are also covered under Medicare and at \$300 or \$400 for other covered persons, depending on coverage selected. ~~This~~ ^{The} bill allows DHFS to ~~establish~~ ^{provide} that only certain copayment amounts count toward the out-of-pocket limit.

*** ANALYSIS FROM -1525/3 ***

Under current law, DHFS may request from health insurers information to enable DHFS to identify MA beneficiaries who are eligible, or who would be eligible as dependents, for health insurance coverage. An insurer that receives a request must provide the information ~~within a certain period of time~~. Under ~~the~~ ^{this} bill, DHFS must provide any information that it receives from a health insurer to DWD for purposes of DWD's program related to child and spousal support, paternity establishment, and medical support liability. DWD may allow county and tribal child support agencies access to the information, subject to use and disclosure restrictions under current law, and must consult with DHFS regarding procedures to safeguard the confidentiality of the information.

Insert from
p. 83 →

*** ANALYSIS FROM -1744/2 ***

~~HEALTH AND HUMAN SERVICES~~

~~OTHER HEALTH AND HUMAN SERVICES~~

~~Under current law, a long term care provider, such as a residential care facility or a personal care worker agency, must obtain the Wisconsin arrest and conviction record of each caregiver who works for the provider. A provider may not employ or contract with a caregiver who has been convicted of a serious crime. If a caregiver is not a Wisconsin resident or resided outside Wisconsin before serving as a caregiver, the provider may request that the caregiver provide fingerprints that may be used to search criminal history records maintained by the Federal Bureau of Investigation (FBI). A provider may share criminal history information concerning a caregiver with other providers.~~

Direct care and treatment providers, who are subject to the background check requirement

for a search of

This bill provides that if a ~~long term care~~ provider obtains information from the FBI regarding a caregiver's arrest or conviction record, the provider may use the information only to determine whether the caregiver is disqualified from serving as a caregiver. (A provider may still share criminal history information concerning a caregiver with other providers.) The bill ~~further provides that~~ *grants to* a provider ~~is immune~~ *immunity* from civil liability ~~to a caregiver~~ for using arrest and conviction information provided by the FBI to make an employment determination regarding the caregiver. The limitation on ~~use of arrest and conviction~~ *the* information and the civil ~~immunity~~ *liability* provision apply only to ~~use of arrest and conviction~~ information that a provider requests from the FBI before September 30, 2007.

*** ANALYSIS FROM -0309/4 ***

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~~HEALTH AND HUMAN SERVICES~~~~OTHER HEALTH AND HUMAN SERVICES~~

move to p. 82

Currently, DHFS and certain providers of direct care or treatment services must conduct background checks of caregivers. DHFS may charge a fee ^{for} ~~conducting background checks~~ and for providing information on caregivers to providers. ^{which} ~~The fee~~ may not exceed the reasonable costs of conducting the background checks. The revenues from these fees along with revenues from other licensing and regulatory fees are appropriated ^{to DHFS} ~~for~~ licensing and regulatory activities ~~conducted by DHFS.~~ ^{its}

Also under current law, DHFS must investigate allegations of abuse, neglect, or misappropriation by a caregiver employed by certain providers of direct care or treatment services.

ms # This bill authorizes DHFS to use revenues from background check, licensing, and regulatory fees to investigate abuse, neglect, or misappropriation by caregivers.

This The bill eliminates ^{the reasonable cost} ~~restrictions~~ on the amounts of fees ^a ~~for conducting background checks and providing information to caregivers.~~ *background check*

*** ANALYSIS FROM -1707/3 ***

~~HEALTH AND HUMAN SERVICES~~~~OTHER HEALTH AND HUMAN SERVICES~~

This bill authorizes DHFS, upon the request of a county board, to ~~provide~~ ^{assist county board} assistance in recruiting and training people to provide personal care services. Personal care services are medically oriented activities that assist a person with activities of daily living, such as assistance with bathing, toileting, skin care, and meal preparation.

*** ANALYSIS FROM -0748/1 ***

Under current law, the state registrar or a local registrar must charge \$12 for issuing either a ~~certified copy or an uncertified~~^a copy of a birth certificate. Of this sum, \$7 ~~must be forwarded to the secretary of administration for deposit in program revenue appropriations for~~^{is appropriated to} the Child Abuse and Neglect Prevention Board (CANPB), ~~to be used~~ for CANPB expenses, for the Early Childhood Family Education Center Grant Program, for technical assistance, and for grants to organizations for services related to child abuse and neglect. This bill increases the fee for issuance of a ~~certified or uncertified~~ copy of a birth certificate ~~from \$12~~[↓] to \$15, and ~~increases, from \$7 to \$9, the amount that must be forwarded to the secretary of administration for deposit in program revenue appropriations of~~^{appropriates \$9 to} CANPB.

~~AND~~ under current law, the state registrar must charge for the filing of a birth certificate more than 365 days after the birth, \$20 plus a fee of \$5 for issuance of the birth certificate. This bill increases ^{the latter fee} from \$5 to \$15, ~~the fee for issuance of a certified or uncertified copy of a birth certificate when filing for the birth certificate is more than 365 days after the birth, and clarifies that \$9 of the \$15 must also be forwarded for deposit in appropriations for~~^{→ and appropriates} CANPB.
^{to}

*** ANALYSIS FROM -1863/2 ***

LOCAL GOVERNMENT

This bill creates ~~local~~ levy limits that apply to cities, villages, towns, and counties (political subdivisions) for the property tax levies that are imposed ~~only~~ in December 2005 and 2006. Generally, the bill prohibits a city, village, or town (~~municipality~~) from increasing its levy by a percentage that exceeds the sum of 60 percent of the percentage change in the equalized assessed value of new construction located in the region in which the ~~municipality~~^{city, village, or town} is located ~~and~~^{plus} the rate of inflation.

Insert
from
P. 75

Each municipality is assigned to a region by DOR based on the county in which the municipality is located; each region consists of several counties. The calculation of a municipality's levy does not include any tax increment that is generated by a tax incremental district (TID).

^{no 9} The bill generally prohibits a county from increasing its levy by a percentage that exceeds the sum of 60 percent of the percentage change in the equalized assessed value of new construction located in the county ^{plus} and the rate of inflation.

^{This} The bill ^{provides adjustments} contains exceptions to the levy limit for political subdivisions that transfer the provision of services, for cities or villages that annex town territory, and for a county levy that relates to a county Children with Disabilities Education Board. The levy limit ~~also~~ may be exceeded if a political subdivision's governing body adopts a resolution to do so and ~~if~~ the resolution is approved in a referendum. A town with a population of less than 2,000 may exceed the levy limit if a resolution to do so is approved by ^{the electors at} an annual or special town meeting.

Under the bill, a political subdivision's levy limit does not generally apply to any amounts levied to pay debt service ~~on debt authorized by a political subdivision.~~

^{no 9} ~~Also under this bill, the limit otherwise applicable does not apply to the amount~~ that a first class city (presently only Milwaukee) levies for school purposes. Currently, a first class city school district is not authorized to levy a tax; the city in which the school district is located levies a tax for school purposes ~~at the direction of the school board.~~

*** ANALYSIS FROM -1229/5 ***

Under ^{current} ~~current law~~, the Expenditure Restraint Program ^{the state makes} provides an annual ~~state aid~~ payment to any municipality that has a property tax rate greater than five

mills and that limits the growth of its municipal budget according to a formula based, generally, on ^{the sum of} 60 percent of the percentage change in the equalized assessed value of new construction located in the municipality ^{plus} and on the rate of inflation.

This bill eliminates the Expenditure Restraint Program and replaces it with the Municipal Levy Restraint Program. ~~The Municipal Levy Restraint Program~~ ^{under which the state} ~~provides annual state aid payments~~ ^{makes an annual payment} beginning in 2007, to any municipality that has a property tax rate greater than five mills and that limits its property tax levy to an amount that is no greater than the maximum allowable levy according to a formula that is based, generally, on ^{the sum of} 60 percent of the percentage change in the equalized assessed value of new construction located in the region in which the municipality is located ^{plus} and on the rate of inflation. For purposes of determining the eligibility for and the amount of the payments under the program, each municipality is assigned to a region based on the county in which the municipality is located and each region consists of several counties.

*** ANALYSIS FROM -1231/6 ***

This bill creates the County Levy Restraint Program ^{under} which ~~provides~~ ^{the state makes} annual ~~state aid payments~~ beginning in 2007, to any county that limits its property tax levy to an amount that is no greater than the maximum allowable levy according to a formula that is based, generally, on ^{the sum of} 60 percent of the percentage change in the equalized assessed value of new construction located in the county ^{plus} and on the rate of inflation.

*** ANALYSIS FROM -1018/2 ***

Under current law, ~~cities, villages, and towns~~ (municipalities) may enter into agreements to share revenues from taxes and special charges with other

municipalities and with federally recognized American Indian tribes or bands if the signatory to an agreement is contiguous to at least one other signatory.

(wff) A municipal revenue sharing agreement must ~~meet a number of conditions.~~
~~Among others, it must:~~ (No ff)

1. Be for a minimum term of ten years. (5) (No ff)

2. Describe the boundaries within which the revenues are to be shared. ^ and (No ff)

3. Describe the method of determining the amount of revenues to be shared.

(ff) This bill ~~modifies current law by authorizing a county to enter into a revenue sharing agreement and expands the types of revenues that may be subject to a revenue sharing agreement to include fee revenues and payments received from the state.~~ authorizes ^, as well as municipalities

*** ANALYSIS FROM -1207 ***

~~LOCAL GOVERNMENT~~

Under current law, the state, Indian tribes and bands, and local units of government, may enter into intergovernmental cooperation agreements for the receipt or furnishing of services or joint exercise of powers and may create a commission to perform the service or exercise the joint power.

(wff) This bill ~~specifies~~ provides that if a commission is created under such an agreement, the employees of the commission are not employees of the ~~underlying~~ unit of government that created the commission, unless the contract creating the commission specifies otherwise.

*** ANALYSIS FROM -1258/5 ***

modifies a number of

NATURAL RESOURCES

FISH, GAME, AND WILDLIFE

This bill ~~increases~~ *increases* the fees for the following fish and game licenses by \$6 or more: resident deer hunting licenses, resident archer hunting licenses, resident sports licenses, and husband and wife resident fishing licenses. A resident sports license is a combination license that includes the privileges of resident deer, small game, and fishing licenses. A husband and wife resident fishing license confers the privileges of an annual resident fishing license on a married couple who are residents. The bill ~~increases or decreases~~ *and for* the fees for other fish and hunting licenses and stamps and for duplicates of certain licenses ~~by \$2 or less~~.

m9 The bill also increases the wildlife damage surcharge, which is added to the base fee for most hunting licenses, from \$1 to \$2. The bill increases the wildlife damage surcharge that is issued for conservation patron licenses from \$2 to \$4. The wildlife damage surcharge is generally used for the funding of the wildlife damage program that compensates farmers for damages caused by deer, geese, bear, and turkey. A conservation patron license is a combination license that includes the privileges under a sports license, plus additional privileges authorized by fishing and hunting licenses and stamps. For residents, it also includes the privileges of a trapping license.

Under current law, no person may hunt waterfowl or pheasant without a license authorizing the hunting of small game ~~(underlying license)~~ *and a waterfowl or pheasant hunting stamp, also issued by DNR* that is issued by DNR and a waterfowl or pheasant hunting stamp, ~~also issued by DNR~~ which is attached to or imprinted on the license. DNR charges a fee for both the hunting license and the stamp. This bill creates a grouse and woodcock hunting stamp which, with

certain exceptions, must be attached to, or imprinted on, the ~~underlying~~ license in order for a person to hunt ruffed grouse or woodcock. The bill establishes a fee for this stamp. The ~~moneys received by DNR from these fees~~ ^{↓ are} ~~is~~ ^{to DNR} appropriated for the development and management of the ruffed grouse and woodcock populations ~~within the state~~.

^{This} ~~The~~ bill requires that lake sturgeon that are taken by hook and line, instead of by spearing, be tagged with a sturgeon hook and line tag issued by DNR. The bill establishes a fee for this tag. The ~~moneys received by DNR from these fees~~ ^{are} ~~is~~ ^{to DNR} appropriated for managing the lake sturgeon fishery in inland lakes.

Holdings of conservation patron licenses are not required to purchase grouse and woodcock hunting stamps or sturgeon hook and line tags.

Under current law, DNR issues wild turkey hunting licenses and tags according to a cumulative preference system. ~~Under the system~~ ^{which gives} priority ~~is given~~ [✓] to license applicants based on residency, land ownership, and the receipt of licenses for earlier seasons. One tag is issued for each license. Before using the preference system, DNR

allocates a certain number of wild turkey hunting tags for each wild turkey hunting zone that it establishes and for certain time periods it establishes during the wild turkey hunting seasons. Applicants apply for a specific ^{wild turkey hunting} zone or specific time period

and the preference system is used separately in each zone and for each time period.

In a zone where ^{is less than} for a time period when the number of applicants ~~does not exceed~~ the number of tags available ~~and there are surplus tags~~ [✓], the bill authorizes DNR to issue these ~~surplus tags~~ ^{and} ~~The bill~~ establishes a fee for these tags.

Under current law, with certain exceptions, no person born on or after January 1, 1973, may obtain a hunting approval ~~from DNR~~ without ~~obtaining~~ a certificate of accomplishment ~~from DNR~~. ^{which} DNR issues ~~certificates of accomplishment~~ to persons who ~~successfully~~ complete DNR's hunter education program or bow hunter education program. Current law ~~provides that~~ ^{prohibits} DNR ~~may not charge~~ ^{from charging} a fee for the course of instruction under either ~~education~~ program, although DNR may reimburse instructors for allowable costs up to \$5 for each student who receives instruction.

This bill requires DNR to charge a fee for its hunter education and bow hunter education courses, ^{and} authorizes DNR to offer advanced courses, ^{and} allows DNR to charge an additional fee for the advanced courses. The bill provides that each instructor may collect the fee and retain allowable costs up to \$5 for each student who receives instruction, rather than receive reimbursement from DNR for these costs, as under current law. The instructor must remit the balance of the fee to DNR.

*** ANALYSIS FROM -1491/2 ***

This bill increases the fees for commercial fishing and fishing guide licenses ~~issued to residents and nonresidents~~ and for wholesale fish dealer licenses. The bill also authorizes DNR to charge fees for certain permits that it issues in regulating the commercial harvesting of certain species of fish.

*** ANALYSIS FROM -1379/1 ***

Under current law, DNR may issue, at a reduced fee, a conservation patron license to a resident or a nonresident who is ^{or is 14 but} under the age of 18. A conservation patron license gives the licensee, [↓] ~~in addition to~~ the privileges of a combination of various fish and game licenses, free admission to state parks and other recreational

areas. ~~A~~ conservation patron licensee also receives a free annual subscription to the Wisconsin Natural Resources magazine. ^{and an}

^{ru ff} Under this bill, ^a ~~any~~ conservation patron licensee who is under the age of 18 ^{does} ~~will~~ not receive the privilege of ^{or} ~~free~~ admission to state parks ~~and~~ other recreational areas and ^{does} ~~will~~ not receive the ~~free~~ magazine subscription.

*** ANALYSIS FROM -0382/1 ***

Under current law, DNR may issue conservation patron licenses to any person ^{who is at least} 14 years old ~~or older who applies for the license~~. Notwithstanding ~~current law that~~ provides that a person must be 14 years old to receive a conservation patron license, ^{also} current law ^a specifies a reduced fee for ^{a person} conservation patron licenses issued to ^{people} who ^{is} ~~are~~ at least 12 years old but less than 18 years old. This bill ^{clarifies} ~~changes current~~ law to ^a clarify that DNR may issue conservation patron licenses to any person who is at least 12 years old.

*** ANALYSIS FROM -0384/1 ***

Under current law, no person may hunt pheasant without a license issued by DNR. With certain exceptions, the hunter must also have a pheasant hunting stamp, issued by DNR, attached to, or imprinted on, the person's license. DNR charges a fee for both the hunting license and the stamp.

This bill generally requires a person to obtain an additional permit from DNR ~~in order~~ to hunt pheasants on certain pheasant-stocked lands under DNR's management and control. Under the bill, DNR must issue ~~these~~ permits to any person who applies for the permit and who has a valid conservation patron license or a valid pheasant hunting stamp attached to or imprinted on the person's small game or sports license. The bill authorizes DNR to charge a fee for the permit.